



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,279	07/22/2003	Clifton Lind	0988.1039010	7465

35236 7590 03/14/2006

THE CULBERTSON GROUP, P.C.
1114 LOST CREEK BLVD.
SUITE 420
AUSTIN, TX 78746

EXAMINER

NGUYEN, BINH AN DUC

ART UNIT PAPER NUMBER

3713

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

①

Office Action Summary	Application No.	Applicant(s)	
	10/624,279	LIND ET AL.	
	Examiner	Art Unit	
	Binh-An D. Nguyen	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,9-14,16-21 and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,9-14,16-21 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/22/05; 2/17/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The Request for Continued Examination filed December 22, 2005 has been approved. Further, the Amendment filed December 22, 2005; and Information Disclosure Statements filed December 22, 2005 and February 17, 2006, respectively, have been received. According to the Amendment, claims 1, 2, 4-6, 9-11, 13, 14, 16, 17, 20, 21, and 23 have been amended; and claims 3, 7, 8, 15, 22, 24, and 25 have been canceled. Currently, claims 1, 2, 4-6, 9-14, 16-21, and 23 are pending in the application. Acknowledgment has been made.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4-6, 9-14, 16-21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morrow et al. (2003/0064771) in view of Alcorn et al. (6,620,047).

Referring to claims 1, 4-6, 14, 16, 21, and 23, Morrow et al. teaches a gaming system and method (having means or steps thereto) comprising: a number of gaming machines (see Abstract, paragraphs 44-46) , each gaming machine (10) including a respective game presentation arrangement having a game video display (50), a first

Art Unit: 3713

additional video display (30) located above the game video display, any display could be a player control touch screen display (paragraph 22), a second additional video display (60) located below the video display, and a processing arrangement for controlling the game video display, first additional video display, second additional video display, and player control touch screen display, and wherein each of the game video display, first additional video display, second additional video display, and player control touch screen display extend substantially the entire width of a front side of the respective gaming machine (Figs.1, 2); and a game modification controller (from central server)(Fig.4)(paragraphs 27 and 44-46) in communication with each respective gaming machine, the game modification controller for selectively communicating presentation switching instructions, *i.e.*, *switching games, pay-tables, wager values, etc.* (paragraphs 44-46) to each respective gaming machine, the presentation switching instructions being executable at the respective gaming machine to cause the respective gaming machine to switch the content of the game video display, the first additional video display, the second additional video display, and the player control touch screen display in the operation of the respective gaming machine from content for a first game presentation to content for a second game presentation. Note that, Morrow et al. also teaches that all displays may include touch screen input from the user (paragraph 22); and the game machine provides option for supporting at least five video displays (paragraph 21); and any content may be displayed on any of the screens (paragraph 22). Morrow et al. does not explicitly teach the limitations of a player control touch screen display located below the game video display and forming a ledge projecting

Art Unit: 3713

from a plane of the game video display (claims 1, 6, 14, and 21); a series of four video displays located at a front side of the gaming machine in columnar fashion, and each respective video display extending across substantially the entire width of the front side of the gaming machine (claim 16); a mechanical player input device or player interface device locate on the forwardly projecting ledge (claim 4) or the front side of the game machine (claim 5). Alcorn et al., however, teaches a gaming system teaches a player control panel having control buttons 40 located below the game video display and forming a ledge projecting from a plane of a game video display (Fig.1); and the control buttons could be touch screen button (4:16-17, Fig.3); further, since Alcorn et al. suggest the a slant-top player control interface can be used, it is obvious to utilize the slant-top video screen together with the mechanical player control devices mounted ledge (38). Referring to the feature of arranging the video displays, this is a design choice because orienting the displays differently within the gaming machine does not effect or bring unexpected results to the outcome of the game. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to provide the slant-top mechanical or digital control interface of Alcorn et al. to Morrows et al.'s electronic gaming system to enhance user interfaces in gaming machine.

Referring to claim 2, Morrow et al. teaches any content may be displayed on any of the screens (paragraph 22)

Referring to claims 9-13 and 17-20, Morrow et al. teaches a game presentation server with a presentation storage management for storing multiple sets of presentation instructions, each set of presentation instructions being executable at a respective one

Art Unit: 3713

of the gaming machines to define the video content of each respective video display on the respective gaming machine during the operation of the respective gaming machine (paragraph 46); the game modification controller is also for directing the transfer of a new set of presentation instructions from the game presentation server to a respective one of the gaming machines in connection with the presentation switching instructions communicated to the respective gaming machine (paragraphs 44-45); a gaming machine usage monitoring arrangement for monitoring the usage of at least a portion of the gaming machines and providing control inputs to the game modification controller based on the monitored usage (paragraphs 51-52); the game modification controller communicates presentation switching instructions to a respective gaming machine in response to a player input at the gaming machine (paragraphs 44-45); and at least one of the gaming machines includes a storage device storing a number of sets of presentation instructions, each set of presentation instructions being executable at the respective gaming machine to define the video content of the respective video displays on the respective gaming machine during the operation of the respective gaming machine (paragraphs 30-33).

Response to Arguments

Applicant's arguments with respect to claims 1, 2, 4-6, 9-14, 16-21, and 23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh-An D. Nguyen whose telephone number is 571-272-4440. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BN



XUAN M. THAI
SUPERVISORY PATENT EXAMINER

TC3700